

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

LISA J. HALE.,)	
)	
Plaintiff,)	
)	
vs.)	Case 11-CV-00591-W- FJG
)	
THOMAS J. VILSACK, SECRETARY OF)	
THE UNITED STATES DEPARTMENT OF)	
AGRICULTURE,)	
)	
Defendant.)	

ORDER

Currently pending before the Court is defendant's Motion for Summary Judgment (Doc. # 29).

On December 20, 2012, the Court requested that plaintiff file a Supplemental Affidavit which further explained the answer she gave during the interview with Bryant and Mascarenas and how the answer differed from the response she gave during her deposition. The Court also requested that plaintiff explain if there were other statements which had been attributed to her that she did not make. On December 28, 2012, plaintiff filed her supplemental affidavit as requested. After reviewing the affidavit, the Court finds that there are genuine issues of material fact which preclude the granting of summary judgment on plaintiff's claim of Racial Discrimination. Accordingly, the Court hereby **DENIES** defendant's Motion for Summary Judgment on Count I of plaintiff's Complaint.

Date: January 10, 2013
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge